



Approved:

DIARRA M. GUTHRIE  
Assistant United States Attorney

**23 MAG 6231**

Before:

THE HONORABLE ROBERT W. LEHRBURGER  
United States Magistrate Judge  
Southern District of New York

UNITED STATES OF AMERICA

v.

RICHARD SCHNEIDER,

Defendant.

**SEALED COMPLAINT**

Violations of 18 U.S.C. §§  
2252A(a)(2)(B), (a)(5)(B),  
(b)(1) and (b)(2), and 2

COUNTY OF OFFENSE:  
NEW YORK

SOUTHERN DISTRICT OF NEW YORK, ss.:

MATTHEW DERAGON, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

**COUNT ONE**

(Receipt and Distribution of Child Pornography)

1. In or about July 2023, in the Southern District of New York and elsewhere, RICHARD SCHNEIDER, the defendant, being a person who has a prior conviction under Chapter 110 of Title 18 of the United States Code, knowingly received and distributed material that contains child pornography using a means and facility of interstate and foreign commerce and that has been mailed and has been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, SCHNEIDER received files containing sexually explicit images and videos of minors on a cellphone in New York, New York, via the Internet.

(Title 18, United States Code, Sections 2252A(a)(2)(B), (b)(1), and 2.)

**COUNT TWO**

(Possession of Child Pornography)

2. In or about July 2023, in the Southern District of New York and elsewhere, RICHARD SCHNEIDER, the defendant, being a person who has a prior conviction under Chapter 110 of Title 18 of the United States Code, knowingly possessed and accessed with intent to view, a book, magazine, periodical, film, videotape, computer disk, and other material that contained an image of child pornography that had been mailed, shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, SCHNEIDER possessed sexually explicit images and videos of minors, including images of prepubescent minors and minors who had not attained 12 years of age, in his residence in New York, New York.

(Title 18, United States Code, Sections 2252A(a)(5)(B), (b)(2), and 2.)

The bases for my knowledge and for the foregoing charges are as follows:

3. I have been a Special Agent with the FBI since 2014, and I have been assigned to investigate violations of criminal law relating to the sexual exploitation of children, in violation of Title 18, United States Code, Section 2252A, among other offenses.

4. I have been personally involved in the investigation of this matter, and I am familiar with the information contained in this Complaint based on my own personal participation in the investigation, my review of documents, conversations I have had with other law enforcement officers about this matter, my training and experience, and numerous discussions I have had with other law enforcement personnel concerning the creation, distribution, and proliferation of child pornography. Because this Complaint is being submitted for the limited purpose of establishing probable cause to arrest the defendant, I have not included the details of every aspect of the investigation. Where actions, conversations, and statements of others are related herein, they are related in substance and in part, except where otherwise indicated.

**Definitions**

5. The following terms have the indicated meaning in this Complaint:

a. The terms “minor” and “sexually explicit conduct,” as used herein, are defined as set forth in Title 18, United States Code, Section 2256.

b. The term “child pornography,” as used herein, is a visual depiction of a minor involved in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(8).

6. From my personal involvement in this investigation, I have learned, in substance and in part, that:

a. On July 13, 2022, RICHARD SCHNEIDER, the defendant, was convicted by plea of possessing child pornography, in violation of Title 18, United States Code, Sections 2252A(a)(5)(B), (b)(2), and 2, and subsequently sentenced by the Honorable Paul A. Crotty, United States District Judge for the Southern District of New York, to 9 months' imprisonment followed by five years' supervised release. Following his conviction, SCHNEIDER was required to register as a sex offender.

b. Among the conditions of Schneider's supervised release, SCHNEIDER was required to: (1) participate in a computer/internet monitoring program administered by the United States Probation Office (the "Probation Office"); (2) provide advance notice to the Probation Office of any computers or devices capable of accessing the internet, so that the Probation Office could install monitoring software; (3) permit the Probation Office to "take any items prohibited by the conditions of your supervision that he or she observes in plain view"; and (4) refrain from "viewing, accessing, possessing, and/or downloading any sexually explicit material involving minors."

c. Based on my conversations with the assigned probation officer and my review of the Bureau of Prisons website, I have learned that SCHNEIDER was released from prison and entered a residential re-entry center on or about May 4, 2023. On or about July 7, 2023, SCHNEIDER was released from the residential re-entry center and initiated his term of supervised release.

7. Based on my conversations with the assigned probation officer (the "Probation Officer") for RICHARD SCHNEIDER, the defendant, I have learned, among other things, the following, in substance and in part:

a. The Probation Officer has been assigned to supervise SCHNEIDER since SCHNEIDER commenced supervision.

b. On or about July 11, 2023, the Probation Officer met with SCHNEIDER at the Probation Office. Among other things, the Probation Officer informed SCHNEIDER that he was prohibited from viewing, accessing, possessing, and/or downloading any sexually explicit material involving minors; explained that the purpose of the Probation Office's computer/internet monitoring program was to ensure that SCHNEIDER did not recidivate by viewing or possessing child pornography; and indicated that any device that SCHNEIDER possessed or intended to purchase required approval by the Probation Office and the installation of monitoring software.

c. The Probation Officer asked SCHNEIDER for the passwords to any devices in SCHNEIDER's possession, and SCHNEIDER provided the Probation Officer with the password to a Motorola Cellphone, Model Moto G Power, with IMEI Number 351394596614455 (the "Schneider Cellphone") and the password to an Apple iPad Pro, with Serial Number QL416MJ4H7 and IMEI Number 359391200847481 (the "Schneider iPad").

d. The Probation Officer informed SCHNEIDER that monitoring software would be installed on his devices on July 26, 2023.

e. On or about July 14, 2023, SCHNEIDER sent the Probation Officer a text message reporting that he sold the Schneider iPad to “some guy on Craigslist” because he needed the money. The Probation Officer directed SCHNEIDER to provide the transaction details.

f. On or about July 17, 2023, SCHNEIDER sent the Probation Officer the following text message: “Good morning . . .you seemed peeved I sold the iPad so I returned the \$ and getting it back tomorrow . . .” The Probation Officer again directed SCHNEIDER to provide the transaction details and told SCHNEIDER that he did not need to undo the transaction.

g. On or about July 18, 2023, the Probation Officer conducted an unscheduled visit to SCHNEIDER’s Manhattan residence.

h. The Probation Officer observed the Schneider iPad in plain view charging on the nightstand in SCHNEIDER’s bedroom. SCHNEIDER identified the Schneider iPad as the one he purportedly sold. When the Probation Officer asked to review the Schneider iPad, SCHNEIDER entered the same password he provided to the Probation Officer on July 11, 2023. The Probation Officer opened the photo application on the Schneider iPad and saw images of sexually explicit conduct.

i. The Probation Officer asked SCHNEIDER to unlock the Schneider Cellphone, which he did. While reviewing the Schneider Cellphone, the Probation Officer saw that SCHNEIDER’s recent internet search history appeared to reflect searches for sexually explicit conduct.

j. The Probation Officer informed SCHNEIDER that possessing unmonitored devices constituted violations of his conditions of supervised release and seized the Schneider iPad and the Schneider Cellphone at that time.

8. On July 27, 2023, the Honorable Valerie Figueredo, United States Magistrate Judge for the Southern District of New York, issued a warrant authorizing the search of the Schneider iPad and the Schneider Cellphone.

9. An initial forensic review of the Schneider Cellphone revealed, in part, that:

a. Approximately 100 files of child pornography, including videos and photographs of minors appearing to be as young as a few months old, were downloaded to the device. The files appeared to have a “last write time” between July 1, 2023, and July 4, 2023, indicating that the files had last been downloaded and accessed between those dates.

b. Among the files on the Schneider Cellphone were the following:

i. A photograph depicting an adult male nude from the waist down kneeling on a bed in front of a fully nude male toddler. The toddler is lying on his back. The adult male is holding his erect penis and pushing the erect penis into the anus of the toddler.

ii. A photograph depicting an adult erect penis being forced into the mouth of an infant.

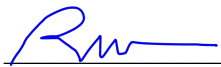
c. The internet search history indicated searches for certain terms, including “legality of child pornography,” “mega,” “Dad son taboo,” “DS incest,” “#perv,” “how to breed a boy gay porn,” as well as certain other searches, including one regarding countries to live in as a child sex offender.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of RICHARD SCHNEIDER, the defendant, and that he be imprisoned or bailed, as the case may be.

S? by the Court with permission

MATTHEW DERAGON  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this  
29th day of August, 2023



THE HONORABLE ROBERT W. LEHRBURGER  
United States Magistrate Judge  
Southern District of New York